

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 964 of 2014

- Smt. Aparna Agrawal W/o Shri Neeraj Agrawal Aged About 28 years Present Address Agrawal Para, Arang Distt. Raipur C.G.

---- Applicant

Versus

- Shri Neeraj Agrawal S/o Virendra Agrawal Aged About 30 Years Qtr. No. 308, Type - B, Sector - 1, Balco Nagar, Korba C.G.

---- Respondent

For Applicant: Shri Raja Sharma, Advocate.
For Respondent Shri Ravish Verma, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/07/2015

(1) In a duly constituted application for maintenance filed by the applicant/wife, the Family Court, during the pendency of main maintenance proceeding, granted Rs. 5,000/- per month to the applicant herein holding that non-applicant herein is posted at BALCO on the post of Engineer and earning Rs. 60,000/- per month, which is sought to be challenged by the applicant stating that the amount of maintenance be enhanced suitably.

(2) Counsel for the applicant submits that admittedly the income of the non-applicant is Rs. 60,000/- per month as Engineer in Balco and award of Rs. 5,000/- granted to the applicant as interim maintenance is shockingly on lower side, which deserves to be enhanced suitably.

(3) Per contra, Shri Raveesh Verma, counsel for the respondent

would submit that the amount of maintenance granted by the Family is just & reasonable, which does not call for any interference.

(4) I have heard learned counsel for the parties and perused the case diary with utmost circumspection.

(5) Taking into consideration the facts and circumstances of the case and general rule is that the wife should not be relegated to a lower standard of living than that which the husband enjoys and further taking note of cost of living, food, clothing, price index and income of the respondent/husband as Rs.60,000/- per month, which he admittedly earning as held by Family Court, I consider it expedient the amount of Rs. 7,000/- per month would be appropriate amount of interim maintenance. The order of Family Court is modified accordingly; however, the Family Court is directed to conclude the final maintenance proceeding within three months from the date of receipt of certified copy of this order.

(6) With the aforesaid direction, this revision stands finally disposed of. No order as to cost (s).

(Sanjay K. Agrawal)

Judge